

1 Michael J. McCue
Nevada Bar No. 6055
2 Jonathan W. Fountain
Nevada Bar No. 10351
3 LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
4 Las Vegas, NV 89169-5996
Tel: 702.949.8200
5 E-mail: mmccue@lrrc.com
E-mail: jfountain@lrrc.com

6 John A. Clifford (admitted *pro hac vice*)
7 MERCHANT & GOULD
5635 N. Scottsdale Road, #170
8 Scottsdale, AZ 85250
Tel: 480-725-8806
9 E-mail: jclifford@merchantgould.com

10 Ian G. McFarland (admitted *pro hac vice*)
MERCHANT & GOULD
11 9717 Cogdill Road, Suite 101
Knoxville, TN 37932
12 Tel: 865-380-5960
E-mail: imcfarland@merchantgould.com

13 *Attorneys for Plaintiff Voss of Norway, A.S.A.*

14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 VOSS OF NORWAY, A.S.A.,

18 Plaintiff,

19 vs.

20 MICHELLE KING; an unknown entity,
individual, or group of individuals doing
21 business as NV HOTEL COMPANY and
BOUTIQUE HOTELIERS,

22 Defendants.
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Case No. 2:16-cv-01117-APG-PAL

**PLAINTIFF'S *EX PARTE* MOTION
FOR LEAVE TO SERVE SUBPOENA
AND PERMIT SERVICE BY OTHER
MEANS**

1 Plaintiff Voss of Norway, A.S.A. (“Plaintiff” or “Voss”) hereby moves the court, *ex*
2 *parte*, for entry of an order: (A) granting Plaintiff leave to serve a subpoena on Domains By
3 Proxy, LLC (“Domains By Proxy”) to identify the Unknown Defendants and obtain reliable
4 email addresses for all Defendants; (B) permitting Plaintiff to serve Defendant King by email to
5 the email addresses she is known to have used (*i.e.*, at nvhotelcompany@gmail.com and
6 michelle@worldwidenv.com) and by email to any email addresses disclosed by Domains By
7 Proxy in response to Plaintiff’s subpoena; and (C) permitting Plaintiff to serve the Unknown
8 Defendants by email to the email addresses disclosed by Domains By Proxy in response to
9 Plaintiff’s subpoena.

10 This motion is based on the following memorandum of points and authorities, the
11 accompanying Declaration of Jonathan W. Fountain (the “Fountain Decl.”), the pleadings and
12 other papers on file in this case, and any oral argument the Court may require or allow.

13 **PRELIMINARY STATEMENT AND BASIS FOR *EX PARTE* RELIEF**

14 Plaintiff is a Norwegian corporation whose principal place of business is located in
15 Oslo, Norway. Plaintiff’s principal business is the marketing and sale of artesian drinking
16 water from Norway (“VOSS water”) sold primarily in distinctive vessels and bottles. Plaintiff
17 conducts business in the United States and is the owner of a number of U.S. trademark
18 registrations for the VOSS and related trademarks.

19 Defendant King herself and/or in connection with the Unknown Defendants doing
20 business as NV Hotel Company and/or Boutique Hoteliers (the “Unknown Defendants”) has,
21 without authorization from Plaintiff, willfully masqueraded as Plaintiff’s agent for the purpose
22 of deceiving potential investors into believing that they were negotiating to obtain licensed
23 trademark rights in Plaintiff’s VOSS Water brand for use in connection with luxury spa
24 services, vitamins, and related goods and services. Further, the Defendants have sought to
25 establish and/or operate a business under the name VOSS WATER SPAS seeking to
26 improperly capitalize on the fame and reputation of Plaintiff in the field of water and water
27 products, and has obtained one or more internet domain names and has hosted internet web
28 pages that infringe the rights of Plaintiff in and to the VOSS name and trademark and create a

1 likelihood of confusion between Plaintiff and Defendants.

2 In connection with this scheme, Defendant King has used the following email
3 addresses: nvhotelcompany@gmail.com and michelle@worldwidenv.com. In addition,
4 Defendant King and/or the Unknown Defendants are believed to conduct business in
5 connection with websites located at the following domains: www.worldwidenv.com,
6 www.spahotelgroup.com, www.theboutiquegroup.info, www.fcukhotelsworldwide.info,
7 www.nvwaterspa.com, www.vossprestige.co, and www.vosswaterspa.us. GoDaddy.com, LLC
8 (“GoDaddy”) is the registrar of each of these domains (the “Domains”).

9 Domain name registrars like GoDaddy are required to maintain identifying data of
10 domain name registrants, including the registrant’s name, physical address, and email address.
11 Plaintiff has attempted to identify the Unknown Defendants by looking up their registrant
12 contact information in the WHOIS database of domain name registrants.¹ Defendant King and
13 the Unknown Defendants, however, have used a privacy protection service provided by
14 GoDaddy’s affiliate, Domains By Proxy to hide their true identities, physical addresses, and
15 email addresses from the public. Instead of the Unknown Defendants’ actual names, physical
16 addresses, and email addresses appearing in the WHOIS database, GoDaddy and Domains By
17 Proxy have registered the domains but have inserted proxy contact information into the
18 WHOIS database for Ms. King and the Unknown Defendants. For example, the WHOIS
19 record for www.nvwaterspa.com identifies the registrant as “Registration Private,” the
20 registrant organization as “Domains By Proxy,” the registrant street address as 14747 N.
21 Northsight Blvd., Suite 111 PMB 309, Scottsdale, AZ, 85260 (the address of GoDaddy and
22 Domains By Proxy), and the registrant email address as
23 nvwaterspa.com@domainsbyproxy.com. Absent a subpoena to Domains By Proxy, Plaintiff
24 has no way to determine the identities of the Unknown Defendants who have registered the
25 domains being used to impersonate Plaintiff.

26
27 ¹ *Gordon v. Virtumundo, Inc.*, 575 F.3d 1040, 1064 n.22 (9th Cir. 2009) (“WHOIS is a
28 publically available online database through which users can access information regarding
domains, including the registrant’s name, address, phone number, and e-mail address”).

1 Plaintiff filed the Complaint on May 18, 2016. On June 15, 2016 and June 17, 2016,
2 Plaintiff's process server went to the address Plaintiff had for Defendant King, 410 S. Rampart
3 Blvd., Ste. 390, Las Vegas, Nevada 89145-5749, and attempted to serve the Summons and
4 Complaint. (*See* ECF No. 12, Clarke Decl.) The business located at the address was Regus
5 Suites (*id.*), a company that provides office space and office services for other businesses.
6 (Fountain Decl. ¶ 7.) Defendant King was not found there. (*See* Clarke Decl.) Nor was any
7 business named NV Hotel Company or Boutique Hoteliers. (*Id.*) Plaintiff's process server
8 spoke with an employee of Regus Suites who disclosed that Boutique Hoteliers and Defendant
9 King had been co-tenants of an office suite at that location approximately six months ago but
10 were no longer doing business there. (*Id.*) Plaintiff knows of no other physical addresses for
11 Defendant King or for any of the Unknown Defendants. (Fountain Decl. ¶ 7.)

12 Accordingly, Plaintiff respectfully requests that the Court enter an order: (A) granting
13 Plaintiff leave to serve a subpoena on Domains By Proxy seeking the registrant contact
14 information for the Domains; (B) permitting Plaintiff to serve Defendant King by email to the
15 email addresses she is known to have used (*i.e.*, at nvhotelcompany@gmail.com and
16 michelle@worldwidenv.com) and by email to any email addresses disclosed by Domains By
17 Proxy in response to Plaintiff's subpoena; and (C) permitting Plaintiff to serve the Unknown
18 Defendants by email to the email addresses disclosed by Domains By Proxy in response to
19 Plaintiff's subpoena.

20 **STATEMENT OF FACTS**

21 This is an action for trademark infringement, counterfeiting, false advertising, unfair
22 competition, false designation of origin, false or misleading description or representation of
23 fact, deceptive trade practices, and other related claims. Defendant has, without authorization
24 from Plaintiff, willfully masqueraded as Plaintiff's agent for the purpose of deceiving potential
25 investors into believing that they were negotiating to obtain licensed trademark rights in
26 Plaintiff's VOSS Water brand for use in luxury spa services, vitamins, and related goods and
27 services. (*See* ECF No. 1, Compl. ¶ 1.) Further, Defendant has sought to establish and/or
28 operate VOSS WATER SPAS seeking to improperly capitalize on the fame and reputation of

Plaintiff in the field of water and water products, and has obtained one or more internet domain names and has hosted internet web pages that infringe the rights of Plaintiff in and to the VOSS name and trademark and create a likelihood of confusion with Plaintiff. (*Id.*)

Plaintiff Voss of Norway, A.S.A. (“Plaintiff”) is a Norwegian corporation having its principal place of business at Bygdoy alle 17, N-0262 Oslo, Norway. Its principal business is the marketing and sale of artesian drinking water from Norway (“VOSS water”) sold primarily in distinctive vessels and bottles. (Compl. ¶ 2.)

On information and belief, Defendant Michelle King (“Defendant King”) is an individual residing and working in Las Vegas, Nevada. On information and belief, Defendant King’s business address is 410 S. Rampart Blvd., Ste. 390, Las Vegas, Nevada 89145-5749. (Compl. ¶ 3.) On information and belief, while engaging in the conduct complained of herein, Defendant King uses or has used the telephone numbers (702) 997-1913 and (702) 606-8361, as well as the following email addresses: nvhotelcompany@gmail.com and michelle@worldwidenv.com. (*Id.*)


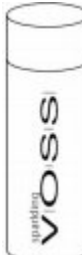
On information and belief, the Unknown Entity, Individual, or Group of Individuals doing business as NV Hotel Company and/or Boutique Hoteliers (“Unknown Defendants”) are persons, companies, or entities affiliated with Defendant King residing and doing business in this judicial district and elsewhere under the names NV Hotel Company and/or Boutique Hoteliers. (Compl. ¶ 4.) On further information and belief, the Unknown Defendants do business in connection with websites at the following domain names: www.worldwidenv.com, www.spahotelgroup.com, www.theboutiquegroup.info, www.fcukhotelsworldwide.info, www.nvwaterspa.com, www.vossprestige.co, and www.vosswaterspa.us. (*Id.*)

PLAINTIFF’S VOSS BRAND AND TRADEMARKS

Plaintiff is primarily in the business of producing and supplying bottled artesian drinking water from Norway. (Compl. ¶ 8.) Plaintiff is the owner of a number of U.S. trademark registrations, including but not limited to the following:

Trademarks	Goods/Services	Serial / Reg. No.	Status/Status Date	Owner
VOSS	32 – Drinking water		REGISTERED –	VOSS OF

		78-507375 3,449,399	June 17, 2008	NORWAY ASA (NORWAY CORPORATION)
VOSS	21 – Refillable beverage containers distributed empty, namely, glass or plastic bottles	77-528188 3,717,456	REGISTERED – December 1, 2009	VOSS OF NORWAY ASA (NORWAY CORPORATION)
VOSS	18 & 25 – Beach bags; clothing, namely, hats, t-shirts and sweatshirts	78-737806 3,304,033	REGISTERED – October 2, 2007	VOSS OF NORWAY ASA (NORWAY CORPORATION)
VOSS ARTESIAN WATER FROM NORWAY	32 – Drinking water	78-553556 3,073,139	REGISTERED – March 28, 2006	VOSS OF NORWAY ASA (NORWAY CORPORATION)
VOSS FOUNDATION	36 – Charitable foundation services, namely, fund raising and financial support services to provide clean drinking water to needy families in African nations	77-528337 3,678,547	REGISTERED – September 8, 2009	VOSS OF NORWAY ASA (NORWAY CORPORATION)
VOSS WORLD	35 & 43 – Arranging and conducting incentive reward programs to promote the sale and distribution of drinking water; Providing news and information via an Internet website in the field of drinking water, dining, hotels, and resorts	85-402161 4,350,804	REGISTERED – June 11, 2013	VOSS OF NORWAY ASA (NORWAY CORPORATION)
VOSS ARTESIAN WATER FROM NORWAY (and Design)	32 - Drinking water	77-190585 3,394,373	REGISTERED - March 11, 2008	VOSS OF NORWAY ASA (NORWAY CORPORATION)

1 2 3 4					
5 6 7 8 9 10 11 12	VOSS ARTESIAN WATER FROM NORWAY SPARKLING (and Design) 	32 - Drinking water	77-192175 3,394,377	REGISTERED - March 11, 2008	VOSS OF NORWAY ASA (NORWAY CORPORATION)

(*Id.* & Ex. A) (“the VOSS Trademarks”).

Plaintiff has sold drinking water in a distinctive clear, cylindrical bottle configuration having a substantially uniform radius from the base of the bottle to the top of the cap with a cylindrical cap of the same general diameter in the United States since at least the year 2000 and continuously thereafter up to and including the present time. (Compl. ¶ 8.) This configuration is a unique configuration within the beverage market and within the market for beverage containers. (*Id.* & Ex. B.)

Unlike many bottled water producers, Plaintiff has sold its products through licensed alcoholic beverage distributors, and has made strong inroads in the hotel, restaurant, and the wine and alcoholic beverage retail markets. (Compl. ¶ 9.) Plaintiff created the market for selling bottled water in this way and in this channel of trade. (*Id.*) Plaintiff’s products are often sold in the finest restaurants, lounges, clubs, spas, and hotels. (*Id.*) For instance, Plaintiff has partnered with and provided its products to some of the world’s leading hotel brands, such as Waldorf Astoria, Four Seasons, Jumeirah, and The Ritz-Carlton, just to name a few. (*Id.*) Plaintiff is in the hydration business, offering products used by the public to enjoy a well hydrated lifestyle. (*Id.*) This business is closely related to all aspects of water consumption,

1 water treatments, water spas, hydro-therapy, skin hydration with cosmetics, and the like. (*Id.*)
2 Plaintiff intends to expand its business into all aspects of personal hydration. (*Id.*)

3 Plaintiff has expended a substantial amount of money and effort in advertising and
4 promoting the VOSS Trademarks, its products, and its distinctive trade dress. (Compl. ¶ 10.)
5 These activities include (but are not limited to: print and media advertising, event sponsorships,
6 and product placements in television shows, movies, and celebrity events. Plaintiff advertises
7 in magazines that cater to high-end tastes, such as Wine Spectator, and other similar
8 publications. (*Id.*) Plaintiff has also sponsored highly popular and nationally televised sporting
9 events, such as the BMW PGA Championship. (*Id.*)

10 Plaintiff also promotes its VOSS brand and products on the Internet via its websites,
11 including www.vosswater.com, and on social media platforms, including Facebook
12 (\vossworld), Twitter (@vosswater), and Instagram (@vossworld). (Compl. ¶ 11.)

13 Plaintiff's substantial promotion, advertising, publicity and public relations activities
14 further promote and enhance the goodwill and brand recognition associated with Plaintiff's
15 VOSS Trademarks. (Compl. ¶ 12.)

16 As a result of the Plaintiff's extensive efforts to promote its products and brand, the
17 VOSS Trademarks are well-recognized among consumers, members of the public, the beverage
18 market, in the hospitality industry, with restaurants, hotel operators, and among suppliers,
19 retailers, providers, and customers of bottled drinking water. (Compl. ¶ 13.) The VOSS
20 Trademarks are inherently distinctive, have been protected with numerous trademark
21 registrations, and have developed and possesses strong secondary meaning. (*Id.*) The same
22 can be said for the packaging and overall trade dress of VOSS products. (*Id.*) Plaintiff's
23 distinctive bottle shape and other VOSS Trademarks have been knocked off by third parties,
24 and Plaintiff has had a robust policing and enforcement program to protect its brand and marks.
25 (*Id.*) Numerous cease and desist letters and court proceedings have been undertaken by
26 Plaintiff to protect the distinctive bottle shape and its other VOSS Trademarks. (*Id.*) The
27 VOSS brand, trade dress, and VOSS Trademarks are famous and are widely recognized by the
28 general consuming public of the United States as a source identifier for Plaintiff's goods. (*Id.*)

1 Plaintiff offers and provides its products in the United States, including in the State of
2 Nevada and in this judicial district, under its VOSS Trademarks. (Compl. ¶ 14.)

3 Plaintiff's goodwill in the VOSS brand is further enhanced by its charitable outreach
4 services provided under its VOSS FOUNDATION mark. (Compl. ¶ 15.) The VOSS
5 Foundation is dedicated to providing access to clean water in Sub-Saharan Africa and raising
6 awareness of the ongoing need for sanitation, hygiene, and community development in the
7 region. (*Id.*)

8 Further still, Plaintiff's goodwill in the VOSS brand is also enhanced by its VOSS
9 World community and the related news and educational services provided under the VOSS
10 WORLD mark. (Compl. ¶ 16.) VOSS World is a global society comprised of chefs,
11 celebrities, foodies, thought leaders, consumers, distributors, and complementary brands that
12 have connections to and/or partner with the VOSS brand. (*Id.*) Under the VOSS WORLD
13 mark, Plaintiff offers a variety of reward programs and provides news and information via its
14 website in the field of drinking water, dining, hotels, and resorts. (*Id.*)

15 **THE DEFENDANTS' MISCONDUCT**

16 Beginning in 2014, Defendant King approached Plaintiff about the latter's interest in
17 developing a VOSS branded luxury day spa and/or spa resort centered around its VOSS Water
18 products. (Compl. ¶ 17.) Defendant King represented herself as the CEO of NV Hotel
19 Company, d/b/a Boutique Hoteliers. (*Id.*) Defendant King further represented that she had
20 numerous hotel clients in Las Vegas and elsewhere interested in licensing the rights to the
21 VOSS brand for spa services and related products. (*Id.*) The parties continued to have
22 preliminary discussions, predominantly through email, through the beginning of 2015. (*Id.*)
23 Those discussions never advanced beyond the preliminary stage and at no point did Plaintiff
24 authorize Defendant King to either act on its behalf in negotiating licensing rights to the VOSS
25 brand or to use Plaintiff's VOSS Trademarks in promoting any concept, product, or service to
26 third parties. (*Id.*)

27 Unbeknownst to Plaintiff, and on information and belief, Defendants registered the
28 domain name www.vosswaterspa.us on or around May 6, 2014 without Plaintiff's

1 authorization. (Compl. ¶ 18 & Ex. C.) As shown, the website advertises spa services under the
2 VOSS mark and states that VOSS Water Spa locations are expected to open in Dubai, Sooke,
3 and Las Vegas. (*Id.*)

4 On or around February 3, 2015, Plaintiff's counsel sent a letter to the email address
5 affiliated with www.vosswaterspa.us (info@vosswatersap.us), demanding that the unauthorized
6 use of the VOSS mark cease immediately. (Compl. ¶ 19.) No response was received, but the
7 infringing website content was removed. (*Id.*)

8 During a telephone conversation between Defendant King and a representative of
9 Plaintiff that occurred on or around February 6, 2015, Defendant King stated that she had
10 registered the www.vosswaterspa.us domain name. (Compl. ¶ 20.) By email message that
11 same day, Plaintiff informed her that it was putting the project on hold. (*Id.*) She responded by
12 acknowledging Plaintiff's decision and stated that she would offer her interested clients another
13 spa brand. (*Id.*)

14 On information and belief, Defendants registered the domain name
15 www.nvwaterspa.com on or around February 8, 2015 without Plaintiff's authorization.
16 (Compl. ¶ 21 & Ex. D.) As shown, the website advertises spa services under the VOSS mark
17 and states that VOSS Water Spa locations are expected to open in Dubai, Sooke, and Las
18 Vegas. (*Id.*)

19 Plaintiff's counsel sent Defendant King a letter on or around April 15, 2015, reiterating
20 that Plaintiff had closed its negotiations with Defendants, requesting transfer of the
21 www.vosswaterspa.us domain name, and further asking for written confirmation that her use of
22 the VOSS Trademarks would permanently cease, as would her attempts to develop and/or open
23 a spa under the VOSS mark or any spa regardless of its name that otherwise uses VOSS
24 products. (Compl. ¶ 22.)

25 Notwithstanding Plaintiff's instructions to the contrary, and on information and belief,
26 Defendants registered the domain name www.vossprestige.co on or around January 12, 2016
27 without Plaintiff's authorization. (Compl. ¶ 23 & Ex. E.) As shown, the website advertises spa
28 services under the VOSS mark and states that VOSS Water Spa locations are expected to open

1 in Dubai, Sooke, and Las Vegas. (*Id.*)

2 The vossprestige.co and vosswaterspa.us domain names fully incorporate Plaintiff's
3 VOSS mark. (Compl. ¶ 24.) Defendant King had actual and constructive knowledge of
4 Plaintiff's rights in its VOSS mark prior to registration of the domain names. (*Id.*) Defendants'
5 use of the VOSS mark in its domain names affects interstate commerce and is in a manner that
6 is likely to cause confusion, mistake, or deception among the public and is without Plaintiff's
7 authorization. (*Id.*)

8 Unbeknownst to Plaintiff, and on information and belief, Defendants falsified a letter on
9 Plaintiff's letterhead purportedly (but not actually) signed by Plaintiff's Chairman of the Board.
10 (Compl. ¶ 25 & Ex. F.) The letter, created by Defendants, dated March 8, 2016 (the "March
11 8th Letter") was addressed to Defendant King and a private equity advisory firm, Triumspear
12 International, Inc. ("Triumspear"), located in Canada. (*Id.*) It stated, purportedly on behalf of
13 Plaintiff, that Triumspear "was authorized by Boutique Hoteliers (BH) to represent the
14 licensing rights for the Voss Water Spa opportunity.... and potential vitamin brand
15 opportunity." (*Id.*) It further stated that "Boutique Hoteliers are sole owners to the rights of the
16 'Voss Water Spa.'" (*Id.*) Accompanying the March 8th Letter was a VOSS Water Spa concept
17 proposal, showing potential spa designs and offering specific financial information intended for
18 potential investors, including the following "spa designer fees": (i) \$250,000 for overall brand
19 design and the Voss Water Spa concept, (ii) a \$200,000 deposit to begin manufacturing a Voss
20 spa product line, (iii) a \$6.25 million deposit to begin rendering spa design services, and (iv) a
21 \$200,000 engagement fee. (*Id.*)

22 Plaintiff did not prepare the March 8th Letter or concept proposal, nor did Plaintiff
23 authorize or request that Defendants or any other person or entity prepare those materials on
24 Plaintiff's behalf. (Compl. ¶ 26.) Plaintiff has never authorized Defendants to represent its
25 licensing rights. Plaintiff has never granted, conveyed, assigned, or transferred, either directly
26 or indirectly, any licensing rights in its VOSS brand to Defendants. (*Id.*)

27 Plaintiff's Chairman of the Board did not sign the March 8th Letter or authorize any
28 other person or entity to sign on his behalf. (Compl. ¶ 27.) On information and belief, the

1 signature was digitally pasted onto the document as an image. (*Id.*) Below the signature is an
2 email address associated with the domain name vossprestige.co. (*Id.*) Plaintiff's only
3 knowledge of that domain name is in connection with this complaint. (*Id.* & ¶ 21.)

4 On information and belief, Defendants forged the March 8th Letter to deceive
5 Triumspear and its clients into believing that Defendants were authorized to convey licensing
6 rights for the VOSS brand and Trademarks, despite Plaintiff having never provided that
7 authorization, and after Plaintiff affirmatively told Defendant King that it was ending the
8 parties' preliminary discussions about licensing the VOSS brand. (Compl. ¶ 28.) On further
9 information and belief, Defendants forged the March 8th Letter in an attempt to fraudulently
10 procure a monetary deposit of several million dollars from Triumspear and its clients. (*Id.*)

11 On information and belief, Defendants are perpetrating a fraudulent scheme for their
12 own commercial gain by disseminating one or more letters that intentionally counterfeit
13 Plaintiff's name and the VOSS Trademarks in order to mislead recipients into believing that: (i)
14 the communications were authorized by Plaintiff, and (ii) that Defendants possess legitimate
15 and transferrable licensing rights in the VOSS brand. Defendants thereafter request an initial
16 deposit for those licensing rights from recipients who are under the mistaken impression that
17 Defendants and their actions are endorsed, sponsored, or approved by, or associated or
18 affiliated with Plaintiff when the same is not true. (Compl. ¶ 29.)

19 On information and belief, Defendants have been coordinating and continue to obtain,
20 use, and operate the above-mentioned domain names – www.vosswaterspa.us,
21 www.nvwaterspa.com, and www.vossprestige.co – and possibly others, in furtherance of the
22 fraudulent scheme. (Compl. ¶ 30.) On further information and belief, the websites at those
23 domain names are designed to corroborate Defendants' misrepresentations about the ongoing
24 development of VOSS Water Spas, thereby enticing and inducing individuals and entities to
25 invest in the project through Defendants. (*Id.*) Defendants obtained and used those domain
26 names with a bad faith intent to profit from the VOSS mark incorporated in the
27 www.vosswaterspa.us and www.vossprestige.co domain names. (*Id.*)

28 On information and belief, Defendants have convinced at least one third party to invest

time and money in an enterprise based on the false, fraudulent, and untrue representations made by Defendants concerning their ability to license rights in the VOSS brand for a vitamin product to be sold in a replica VOSS bottle, that is not authorized by Plaintiff and where Defendants have no right to offer any such rights to any third party. (Compl. ¶ 31.) Only when the third party became suspicious and decided to check with Plaintiff to verify the authenticity of the arrangement it was making with the Defendants did the full extent of Defendants' unlawful conduct become known. (*Id.*)

Although this complaint focuses on the use of Plaintiff's VOSS brand and Trademarks by Defendants, Plaintiff has identified other websites – including but not limited to www.fcukhotelsworldwide.info – that are, on information and belief, affiliated with Defendants and use the tradenames and trademarks of other globally recognizable brands, sometimes claiming that Plaintiff and the other brands are part of a collective pool of Defendants' partners. (Compl. ¶ 32.) Some of those other brands are among Plaintiff's actual hotel partners, including The Ritz-Carlton and Four Seasons. (*Id.*) On further information and belief, Defendants have also claimed to represent the famous Dolce & Gabbana brand for similar illicit purposes, again without authorization. (*Id.*)

LEGAL STANDARDS

A. Expedited Discovery

Generally, a party may not initiate discovery before the parties have met and conferred pursuant to Federal Rule of Civil Procedure 26(f). However, a court may authorize earlier discovery “for the convenience of parties and witnesses and in the interests of justice.” Fed. R. Civ. P. 26(d). The requesting party must demonstrate good cause for earlier discovery. *See, e.g., Semitool, Inc. v. Tokyo Electron Am., Inc.*, 208 F.R.D. 273, 276 (N.D. Cal. 2002).

B. Alternative Service

Rule 4 of the Federal Rules of Civil Procedure governs service upon an individual located in a foreign country. Rule 4(f) provides as follows:

Unless federal law provides otherwise, an individual-other than a minor, an incompetent person, or a person whose waiver has been filed-may be served

at a place not within any judicial district of the United States:

(1) by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents;

(2) if there is no internationally agreed means, or if an international agreement allows but does not specify other means, by a method that is reasonably calculated to give notice:

(A) as prescribed by the foreign country's law for service in that country in an action in its courts of general jurisdiction;

(B) as the foreign authority directs in response to a letter rogatory or letter of request; or

(C) unless prohibited by the foreign country's law, by:

(i) delivering a copy of the summons and of the complaint to the individual personally; or

(ii) using any form of mail that the clerk addresses and sends to the individual and that requires a signed receipt; or

(3) by **other means** not prohibited by international agreement, as the court orders.

Fed. R. Civ. P. 4(f). (Emphasis added.)

Pursuant to Rule 4(f)(3), the Court may authorize **other means** of service. *Rio Properties, Inc. v. Rio Int'l Interlink*, 284 F.3d 1007 (9th Cir. 2002) (affirming the propriety of allowing service of process by regular mail and e-mail under Fed. R. Civ. P. 4(f)(3)). The **other means** referenced in Rule 4(f)(3) must comport with constitutional notions of due process; namely, they must be “reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

Rule 4(f)(3)’s **other means** provision is an independent basis for service of process and is neither “extraordinary relief” nor a “last resort” to be used only when parties are unable to effectuate service under subsections (f)(1) or (f)(2). *See Rio Properties, Inc.*, 284 F.3d at 1015-16 (a party “need not have attempted every permissible means of service of process before petitioning the court for alternative relief”). “By all indications, court-directed service under Rule 4(f)(3) is as favored as service available under Rule 4(f)(1) or Rule 4(f)(2).” *Id.*, at 1015

(citing *Forum Fin. Group, LLC v. Harvard College*, 199 F.R.D. 22, 23-24 (D. Me. 2001) (permitting service of process upon a defendant located in Russia by sending the summons and complaint by certified mail to the defendant's attorneys at the New York law firm of Skadden, Arps, Slate, Meagher & Flom LLP)).

"[S]ervice under Rule 4(f)(3) must be (1) directed by the court; and (2) not prohibited by international agreement. No other limitations are evident from the text. In fact, as long as court-directed and not prohibited by an international agreement, service of process ordered under Rule 4(f)(3) may be accomplished in contravention of the laws of the foreign country." *Rio Properties, Inc.*, 284 F.3d at 1014 (citation omitted).

ARGUMENT

I. THE COURT SHOULD PERMIT PLAINTIFF TO SERVE A SUBPOENA ON DOMAINS BY PROXY TO IDENTIFY THE UNKNOWN DEFENDANTS AND TO OBTAIN CONTACT INFORMATION FOR DEFENDANT KING.

Good cause exists to permit Plaintiff to serve Domains By Proxy with a subpoena to determine the Unknown Defendants' identities and to obtain their contact information so that Plaintiff may serve the Defendants with the Summons and Complaint, including Defendant King. In *Gillespie v. Civiletti*, 629 F.2d 637, 642-43 (9th Cir.1980), the Ninth Circuit stated that "situations arise . . . where the identity of alleged defendants will not be known prior to the filing of a complaint. In such circumstances, the plaintiff should be given an opportunity through discovery to identify the unknown defendants, unless it is clear that discovery would not uncover the identities, or that the complaint would be dismissed on other grounds."

That is precisely the situation here. Plaintiff and its counsel do not possess the Unknown Defendants' actual names, physical addresses, or their email addresses because the Unknown Defendants used a privacy protection service provided by Domains By Proxy when they registered the Domains. (See Fountain Decl. ¶¶ 4-6.) They presumably did so to hide their true identities, physical addresses, and email addresses from the public. (*Id.*) Instead of the Unknown Defendants' actual names, physical addresses, and email addresses, Domains By Proxy inserted "proxy" contact information in the WHOIS database to conceal Ms. King's and the Unknown Defendants' identities and contact information from being included in the

publicly available WHOIS database. (*Id.*) For example, the WHOIS record for www.nvwaterspa.com identifies the registrant as “Registration Private,” the registrant organization as “Domains By Proxy,” the registrant street address as 14747 N. Northsight Blvd., Suite 111 PMB 309, Scottsdale, AZ, 85260 (the address of Domains By Proxy), and the registrant email address as nvaterspa@domainsbyproxy.com. (*See id.* ¶ 5 & Ex. A.) Because the Unknown Defendants’ true identities and contact information is not listed in the WHOIS database, Plaintiff and its counsel have been unable to identify the Unknown Defendants or serve the Unknown Defendants with the Summons and Complaint. (*Id.* ¶ 7.)

Privacy protection services like those offered by Domains By Proxy typically forward emails directed to the *proxy* email address found in the WHOIS database to the domain name registrant. (*Id.* ¶ 6.) However, if Plaintiff used the proxy email addresses to serve the Summons and Complaint, it would have no way of knowing whether the Unknown Defendants have received the documents and would have no way of identifying the Unknown Defendants unless the Unknown Defendants acknowledged receipt of the documents and identified themselves to Plaintiff. (*Id.*) This is something the Unknown Defendants are unlikely to do given that they chose to pay Domains By Proxy to conceal their identities and contact information in the first place by purchasing Domains By Proxy’s privacy protection service. (*Id.*) Absent the issuance of a subpoena to Domains By Proxy, Plaintiff and its counsel will have no other reliable means of identifying the Unknown Defendants or obtaining their actual as opposed to their “proxy” contact information. (*Id.* ¶ 7.) A proposed subpoena is attached hereto as Exhibit A.

Accordingly, good cause exists for permitting Plaintiff to serve a subpoena upon Domains By Proxy in order to identify the Unknown Defendants and obtain their contact information.

II. THE COURT SHOULD ENTER AN ORDER PERMITTING PLAINTIFF TO SERVE THE DEFENDANTS BY EMAIL TO THE EMAIL ADDRESSES RECEIVED FROM DOMAINS BY PROXY.

King has used the nvhotelcompany@gmail.com and michelle@worldwidenv.com email addresses in connection with her scheme to impersonate Voss. (Compl. ¶ 3.) The

Unknown Defendants do business in connection with websites at the following domain names:

www.worldwidenv.com, www.spahotelgroup.com, www.theboutiquegroup.info,
www.fcukhotelsworldwide.info, www.nvwaterspa.com, www.vossprestige.co, and
www.vosswaterspa.us. (*Id.* ¶ 4.)

The Court should enter an order permitting Plaintiff to serve Defendant King by email to the email addresses she is known to have used (*i.e.*, nvhotelcompany@gmail.com and michelle@worldwidenv.com), and by email to any email addresses disclosed by Domains By Proxy in response to Plaintiff's subpoena. Similarly, the Court should permit Plaintiff to serve the Unknown Defendants by email to any email addresses disclosed by Domains By Proxy in response to Plaintiff's subpoena.

Service of a summons and complaint by e-mail is an effective method of service. *See Rio Properties, Inc.*, 284 F.3d at 1018. Indeed, courts have relied on Rule 4(f)(3) (and its predecessor, Rule 4(i)(1)(E)) in authorizing alternative methods of service including, *inter alia*, service by fax, e-mail, ordinary mail and publication. *Id.*, at 1016; *Absolute Swine Insemination Co., (H.K.) Ltd. v. Absolute Swine Insemination Co., LLC*, No. 2:12-cv-00606-KJD-PAL, 2012 WL 3536788, at *3 (D. Nev. Aug. 14, 2012) (ordering service by international mail to defendant's residence in the Philippines); *accord Haffner Int'l Mktg. Group, Inc. v. Sahin*, No. 2:13-cv-0459-JCM-VCF, 2013 WL 5954379, at *2 (D. Nev. Nov. 5, 2013) (holding that service on a foreign defendant was proper because service through the Hague Convention on the Service of Judicial and Extrajudicial Documents Abroad was "expensive and protracted" and would result in undue delay).

When registering the Domains, the Defendants were **required** to provide their names, physical addresses and email addresses to GoDaddy – the domain name registrar – when they registered the Domains. GoDaddy's domain name registration agreement provides as follows:

You agree that for each domain name registered by you, the following contact data is required: postal address, email address, telephone number, and if available, a facsimile number for the Registered Name Holder and, if different from the Registered Name Holder, the same contact information for, a technical contact, an administrative contact and a billing contact.

See GoDaddy Domain Name Registration Agreement ¶ 5, available at:

1 https://www.godaddy.com/agreements/showdoc.aspx?pageid=REG_SA (last accessed July 5,
2 2016).

3 In addition, the Defendants agreed to receive notices concerning the Domains by email
4 to the email addresses they provided. The GoDaddy domain name registration agreement
5 further states that: “You agree that your failure to comply completely with the terms and
6 conditions of this Agreement and any GoDaddy rule or policy may be considered by GoDaddy
7 to be a material breach of this Agreement and GoDaddy may provide you with notice of such
8 breach either in writing or electronically (i.e. email).” *Id.* ¶ 8. Based upon the terms of the
9 domain name registration agreement, GoDaddy is necessarily in possession of the Defendants’
10 names, physical addresses, and email addresses, and could provide that information to Plaintiff
11 if subpoenaed. Once GoDaddy provides the Defendants’ identities and contact information, the
12 Defendants may be served through the email address they provided to GoDaddy when they
13 registered the Domains.

14 Also, due process concerns are satisfied because the Defendants provided their email
15 address to GoDaddy and agreed to receive notices concerning the Domains by email.
16 Confirmation of the email’s delivery can be obtained by requesting a delivery receipt when the
17 email is sent. If the email is undeliverable, the email will be returned with a notice that the
18 email could not be delivered. Thus, service by email is reasonably calculated to apprise the
19 Defendants of the pendency of this case and is reasonably calculated to afford the Defendants
20 with an opportunity to appear and present their objections to this action. Moreover, service by
21 email is immediate, receipt can be confirmed, and the email addresses the Defendants provided
22 to GoDaddy are highly reliable because they were required by GoDaddy as the preferred and
23 agreed upon means of communicating with the Defendants with respect to the Domains.

24 **CONCLUSION**

25 For the foregoing reasons, Plaintiff respectfully requests that the Court enter an order:
26 (A) granting Plaintiff leave to serve a subpoena on Domains By Proxy seeking the registrant
27 contact information for the Domains; (B) permitting Plaintiff to serve Defendant King by email
28

1 to the email addresses she is known to have used (*i.e.*, at nvhotelcompany@gmail.com and
2 michelle@worldwidenv.com) and by email to any email addresses disclosed by Domains By
3 Proxy in response to Plaintiff's subpoena; and (C) permitting Plaintiff to serve the Unknown
4 Defendants by email to the email addresses disclosed by Domains By Proxy in response to
5 Plaintiff's subpoena.

6 Dated: this 11th day of July, 2016.

7 LEWIS ROCA ROTHGERBER CHRISTIE LLP

8 By: /s/ Jonathan W. Fountain

9 Michael J. McCue

10 Nevada Bar No. 6055

Jonathan W. Fountain

11 Nevada Bar No. 10351

3993 Howard Hughes Pkwy, Suite 600

12 Las Vegas, NV 89169-5996

Tel: 702.949.8200

E-mail: mmccue@lrrc.com

13 E-mail: jfountain@lrrc.com

14 MERCHANT & GOULD

John A. Clifford (*pro hac vice pending*)

15 5635 N. Scottsdale Road, #170

Scottsdale, AZ 85250

16 Tel: 480-725-8806

E-mail: jclifford@merchantgould.com

17 Ian G. McFarland (*pro hac vice pending*)

9717 Cogdill Road, #101

18 Knoxville, TN 37932

Tel: 865-380-5990

19 E-mail: imcfarland@merchantgould.com

20 *Attorneys for Plaintiff Voss of Norway, A.S.A.*

21
22
23 **IT IS SO ORDERED:**

24 
25 UNITED STATES MAGISTRATE JUDGE

26
27 DATED: July 20, 2016

Exhibit A

Exhibit A

UNITED STATES DISTRICT COURT

for the

District of Nevada



VOSS OF NORWAY, A.S.A.

Plaintiff

v.

MICHELLE KING et al.

Defendant

Civil Action No. 2:16-cv-01117-APG-PAL

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Domains By Proxy, LLC, 14747 N. Northsight Blvd., Suite 111, PMB 309, Scottsdale, AZ 85260

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See Exhibit A

Place: By email to: jfountain@lrrc.com	Date and Time: 07/26/2016 5:00 pm
---	--------------------------------------

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 07/11/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

/s/ Jonathan W. Fountain

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:16-cv-01117-APG-PAL

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* _____
 on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

 _____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
 _____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
 \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

Exhibit A to Subpoena

Please produce registrant contact information for the following domains, including, without limitation, registrant first and last name, address, city, state, zip code, country, email address, and telephone number:

www.worldwidenv.com

www.spahotelgroup.com

www.theboutiquegroup.info

www.fcukhotelsworldwide.info

www.nvwaterspa.com

www.vossprestige.co

www.vosswaterspa.us

Michael J. McCue
Nevada Bar No. 6055
Jonathan W. Fountain
Nevada Bar No. 10351
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996
Tel: 702.949.8200
E-mail: mmccue@lrrc.com
E-mail: jfountain@lrrc.com

John A. Clifford (admitted *pro hac vice*)
MERCHANT & GOULD
5635 N. Scottsdale Road, #170
Scottsdale, AZ 85250
Tel: 480-725-8806
E-mail: jclifford@merchantgould.com

Ian G. McFarland (admitted *pro hac vice*)
MERCHANT & GOULD
9717 Cogdill Road, Suite 101
Knoxville, TN 37932
Tel: 865-380-5960
E-mail: imcfarland@merchantgould.com

Attorneys for Plaintiff Voss of Norway, A.S.A.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VOSS OF NORWAY, A.S.A.,

Plaintiff,

vs.

MICHELLE KING; an unknown entity,
individual, or group of individuals doing
business as NV HOTEL COMPANY and
BOUTIQUE HOTELIERS,

Defendants.

Case No. 2:16-cv-01117-APG-PAL

**DECLARATION OF
JONATHAN W. FOUNTAIN**

I, Jonathan W. Fountain, state the following:

1. I am an attorney licensed to practice law in Nevada and Michigan. I am employed by Lewis Roca Rothgerber Christie LLP, counsel for Plaintiff Voss of Norway, A.S.A. ("Plaintiff" or "Voss") in this action. This declaration is based upon my own personal knowledge, unless expressly stated otherwise, and I am competent to testify.

1 2. Plaintiff is a Norwegian corporation whose principal place of business is located
2 in Oslo, Norway. Plaintiff's principal business is the marketing and sale of artesian drinking
3 water from Norway ("VOSS water") sold primarily in distinctive vessels and bottles. Plaintiff
4 conducts business in the United States and is the owner of a number of U.S. trademark
5 registrations for the VOSS and related trademarks.

6 3. Upon information and belief, Defendant King herself and/or in connection with
7 the Unknown Defendants doing business as NV Hotel Company and/or Boutique Hoteliers (the
8 "Unknown Defendants") has, without authorization from Plaintiff, willfully masqueraded as
9 Plaintiff's agent for the purpose of deceiving potential investors into believing that they were
10 negotiating to obtain licensed trademark rights in Plaintiff's VOSS Water brand for use in
11 connection with luxury spa services, vitamins, and related goods and services. Further, upon
12 information and belief, the Defendants have sought to establish and/or operate a business under
13 the name VOSS WATER SPAS seeking to improperly capitalize on the fame and reputation of
14 Plaintiff in the field of water and water products, and has obtained one or more internet domain
15 names and has hosted internet web pages that infringe the rights of Plaintiff in and to the VOSS
16 name and trademark and create a likelihood of confusion between Plaintiff and Defendants.

17 4. Upon information and belief, in connection with this scheme, Defendant King
18 has used the following email addresses: nvhotelcompany@gmail.com and
19 michelle@worldwidenv.com. In addition, upon information and belief, Defendant King and/or
20 the Unknown Defendants conduct business in connection with websites located at the following
21 domains: www.worldwidenv.com, www.spahotelgroup.com, www.theboutiquegroup.info,
22 www.fcukhotelsworldwide.info, www.nvwaterspa.com, www.vossprestige.co, and
23 www.vosswaterspa.us. GoDaddy.com, LLC ("GoDaddy") is the registrar of each of these
24 domains (the "Domains").

25 5. Domain name registrars like GoDaddy are required to maintain identifying data
26 of domain name registrants, including the registrant's name, physical address, and email
27 address. Plaintiff has attempted to identify the Unknown Defendants by looking up their
28

1 registrant contact information in the WHOIS database of domain name registrants.¹

2 6. Defendant King and the Unknown Defendants, however, have used a privacy
3 protection service provided by GoDaddy's affiliate, Domains By Proxy to hide their true
4 identities, physical addresses, and email addresses from the public. Instead of the Defendants'
5 actual names, physical addresses, and email addresses appearing in the WHOIS database,
6 GoDaddy and Domains By Proxy have registered the domains but have inserted proxy contact
7 information into the WHOIS database for the Defendants. For example, the WHOIS record for
8 www.nvwaterspa.com identifies the registrant as "Registration Private," the registrant
9 organization as "Domains By Proxy," the registrant street address as 14747 N. Northsight
10 Blvd., Suite 111 PMB 309, Scottsdale, AZ, 85260 (the address of GoDaddy and Domains By
11 Proxy), and the registrant email address as nvwaterspa.com@domainsbyproxy.com. True and
12 accurate copies of the WHOIS reports I obtained for the Domains are attached hereto as
13 **Exhibit A**. Privacy protection services like those offered by Domains By Proxy typically
14 forward emails directed to the *proxy* email address found in the WHOIS database to the domain
15 name registrant. However, if Plaintiff used the proxy email addresses to serve the Summons
16 and Complaint, it would have no way of knowing whether the Defendants have received the
17 documents and would have no way of identifying the Defendants unless the Defendants
18 acknowledged receipt of the documents and identified themselves to Plaintiff. Absent a
19 subpoena to Domains By Proxy, Plaintiff has no way to determine the identities of the
20 Unknown Defendants who have registered the domains being used to impersonate Plaintiff.

21 7. Plaintiff filed the Complaint on May 18, 2016. On June 15, 2016 and June 17,
22 2016, Plaintiff's process server went to the address Plaintiff had for Defendant King, 410 S.
23 Rampart Blvd., Ste. 390, Las Vegas, Nevada 89145-5749, and attempted to serve the Summons
24 and Complaint. (*See* ECF No. 12, Clarke Decl.) The business located at the address was
25 Regus Suites (*id.*), a company that provides office space and office services for other
26 businesses. (*Id.*) Defendant King was not found there. (*Id.*) Nor was any business named NV

27 ¹ *Gordon v. Virtumundo, Inc.*, 575 F.3d 1040, 1064 n.22 (9th Cir. 2009) ("WHOIS is a
28 publically available online database through which users can access information regarding
domains, including the registrant's name, address, phone number, and e-mail address").

1 Hotel Company or Boutique Hoteliers. (*Id.*) Plaintiff's process server spoke with an employee
2 of Regus Suites who disclosed that Boutique Hoteliers and Defendant King had been co-tenants
3 of an office suite at that location approximately six months ago but were no longer doing
4 business there. (*Id.*) Plaintiff knows of no other physical addresses for Defendant King or for
5 any of the Unknown Defendants. Because the Defendants' identities and contact information is
6 not listed in the WHOIS database, Plaintiff and its counsel have been unable to identify the
7 Defendants or serve the Defendants with the Summons and Complaint.

8 8. The Defendants were required to provide their names, physical addresses and
9 email addresses to GoDaddy – the domain name registrar – when they registered the Domains.
10 GoDaddy's domain name registration agreement provides as follows:

11 You agree that for each domain name registered by you, the following contact
12 data is required: postal address, email address, telephone number, and if
13 available, a facsimile number for the Registered Name Holder and, if different
14 from the Registered Name Holder, the same contact information for, a technical
contact, an administrative contact and a billing contact.

15 See GoDaddy Domain Name Registration Agreement ¶ 5, available at:
16 https://www.godaddy.com/agreements/showdoc.aspx?pageid=REG_SA (last accessed July 5,
17 2016).

18 9. In addition, the Defendants agreed to receive notices concerning the Domains by
19 email. The GoDaddy domain name registration agreement further states that: "You agree that
20 your failure to comply completely with the terms and conditions of this Agreement and any
21 GoDaddy rule or policy may be considered by GoDaddy to be a material breach of this
22 Agreement and GoDaddy may provide you with notice of such breach either in writing or
23 electronically (i.e. email)." *Id.* ¶ 8. Based upon the terms of the domain name registration
24 agreement, GoDaddy is in possession of the Defendants' names, physical addresses, and email
25 addresses, and could provide that information to Plaintiff if subpoenaed. Once GoDaddy
26 provides the Defendants' identities and contact information, the Defendants may be served
27 through the email address they provided to GoDaddy when they registered the Domains.

28 10. In sum, the Defendants provided their email address to GoDaddy and agreed to

1 receive notices concerning the Domains by email. Confirmation of the email's delivery can be
2 obtained by requesting a delivery receipt when the email is sent. If the email is undeliverable,
3 the email will be returned with a notice that the email could not be delivered. Thus, service by
4 email is reasonably calculated to apprise the Defendants of the pendency of this case and is
5 reasonably calculated to afford the Defendants with an opportunity to appear and present their
6 objections to this action. Moreover, service by email is immediate, receipt can be confirmed,
7 and the email addresses the Defendants provided to GoDaddy are highly reliable because they
8 were required by GoDaddy as the preferred and agreed upon means of communicating with the
9 Defendants with respect to the Domains.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed on July 11, 2016.

12 /s/ Jonathan W. Fountain
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14 (Signature)
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Voss of Norway, A.S.A. v. King et al.

Index of Exhibits

Ex. Description

A. WHOIS reports from Godaddy.com

Voss of Norway, A.S.A. v. King et al.

Exhibit A

Exhibit A

Help

Sign In

All Products

WHOIS search results for:
WORLDWIDENV.COM
(Registered)

Is this your domain?
GO
Add hosting, email and more.

Want to buy this domain?
GO
Get it with our Domain Buy service.

Domain Name: **WORLDWIDENV.COM**
Registry Domain ID: 1968469132_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Update Date: 2016-06-15T14:08:16Z
Creation Date: 2015-10-14T10:50:23Z
Registrar Registration Expiration Date: 2017-10-14T10:50:23Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID:
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14747 N Northsight Blvd Suite 111, PMB 309
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: worldwidenv.com@domainsbyproxy.com
Registry Admin ID:
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14747 N Northsight Blvd Suite 111, PMB 309
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: worldwidenv.com@domainsbyproxy.com
Registry Tech ID:
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14747 N Northsight Blvd Suite 111, PMB 309
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: worldwidenv.com@domainsbyproxy.com
Name Server: NS11.DOMAINCONTROL.COM
Name Server: NS12.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
>>> Last update of WHOIS database: 2016-06-29T22:00:00Z <<<

For more information on Whois status codes, please visit
https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en

Domain already taken?

Enter Domain Name

Search

NameMatch Recommendations

GoDaddy.com NameMatch has found similar domain names related to your search. Registering multiple domain names may help protect your online brand and enable you to capture more Web traffic, which you can then direct to your primary domain.

Domains available for new registration:

Alternate domains		
<input type="checkbox"/>	worldwidenv.org	SAVE! \$7.99
<input type="checkbox"/>	worldwidenv.net	SAVE! \$11.99
<input type="checkbox"/>	worldwidenv.info	SAVE! \$2.99
<input type="checkbox"/>	globalwidenv.com	SAVE! \$11.99
<input type="checkbox"/>	worldwidenv.global	\$49.99
<input type="checkbox"/>	earthwidenv.com	SAVE! \$11.99
<input type="checkbox"/>	worldwidenv.vegas	\$29.99
<input type="checkbox"/>	worldwidenv.us	SAVE! \$3.99

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Please note: the registrant of the domain name is specified in the "registrant" section. In most cases, GoDaddy.com, LLC is not the registrant of domain names listed in this database.

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Enter a domain name to search

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WHOIS search results for:
FCUKHOTELSWorldwide.INFO
(Registered)

Is this your domain?
GO
Add hosting, email and more.

Want to buy this domain?
GO
Get it with our Domain Buy service.

Domain Name: **FCUKHOTELSWorldwide.INFO**
Registry Domain ID: D50330000000639637-LRMS
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Update Date: 2016-01-06T22:44:57Z
Creation Date: 2016-01-07T05:44:56Z
Registrar Registration Expiration Date: 2017-01-07T05:44:56Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID: CR212849981
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14747 N Northsight Blvd Suite 111, PMB 309
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: fcukhotelsworldwide.info@domainsbyproxy.com
Registry Admin ID: CR212849983
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14747 N Northsight Blvd Suite 111, PMB 309
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: fcukhotelsworldwide.info@domainsbyproxy.com
Registry Tech ID: CR212849982
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14747 N Northsight Blvd Suite 111, PMB 309
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: fcukhotelsworldwide.info@domainsbyproxy.com
Name Server: NS09.DOMAINCONTROL.COM
Name Server: NS10.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
>>> Last update of WHOIS database: 2016-06-29T21:00:00Z <<<

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Domain already taken?

Enter Domain Name

Search

NameMatch Recommendations

GoDaddy.com NameMatch has found similar domain names related to your search. Registering multiple domain names may help protect your online brand and enable you to capture more Web traffic, which you can then direct to your primary domain.

Domains available for new registration:

Alternate domains	
<input type="checkbox"/> fcukhotels.global	\$49.99
<input type="checkbox"/> fcukhotelsworldwide.com	SAVE! \$11.99
<input type="checkbox"/> fcukhotelsworldwide.net	SAVE! \$11.99
<input type="checkbox"/> fcukhotelsworldwide.international	\$24.99
<input type="checkbox"/> fcukhotelsworldwide.org	SAVE! \$7.99
<input type="checkbox"/> fcukhotelsworldwide.us	SAVE! \$3.99
<input type="checkbox"/> fcukhotelsworldwide.vegas	\$29.99
<input type="checkbox"/> fcukhotelsworldwide.global	\$49.99

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WHOIS search results for:

NVWATERSPA.COM

(Registered)

Is this your domain?

GO

Add hosting, email and more.

Want to buy this domain?

GO

Get it with our Domain Buy service.

Domain Name: NVWATERSPA.COM
Registry Domain ID: 1901470290_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Update Date: 2015-11-14T15:49:17Z
Creation Date: 2015-02-08T13:38:23Z
Registrar Registration Expiration Date: 2017-02-08T13:38:23Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID:
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14747 N Northsight Blvd Suite 111, PMB 309
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: NVWATERSPA.COM@domainsbyproxy.com
Registry Admin ID:
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14747 N Northsight Blvd Suite 111, PMB 309
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: NVWATERSPA.COM@domainsbyproxy.com
Registry Tech ID:
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14747 N Northsight Blvd Suite 111, PMB 309
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: NVWATERSPA.COM@domainsbyproxy.com
Name Server: NS57.DOMAINCONTROL.COM
Name Server: NS58.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
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WHOIS search results for:
SPAHOTELGROUP.COM
(Registered)

Is this your domain? **GO**

Add hosting, email and more.

Want to buy this domain?

Get it with our Domain Buy service.

Domain Name: SPAHOTELGROUP.COM
 Registry Domain ID: 1904456197_DOMAIN_COM-VRSN
 Registrar WHOIS Server: whois.godaddy.com
 Registrar URL: http://www.godaddy.com
 Update Date: 2015-11-14T15:49:17Z
 Creation Date: 2015-02-21T03:54:45Z
 Registrar Registration Expiration Date: 2017-02-21T03:54:45Z
 Registrar: GoDaddy.com, LLC
 Registrar IANA ID: 146
 Registrar Abuse Contact Email: abuse@godaddy.com
 Registrar Abuse Contact Phone: +1.4806242505
 Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
 Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
 Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
 Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
 Registry Registrant ID:
 Registrant Name: Registration Private
 Registrant Organization: Domains By Proxy, LLC
 Registrant Street: DomainsByProxy.com
 Registrant Street: 14747 N Northsight Blvd Suite 111, PMB 309
 Registrant City: Scottsdale
 Registrant State/Province: Arizona
 Registrant Postal Code: 85260
 Registrant Country: US
 Registrant Phone: +1.4806242599
 Registrant Phone Ext:
 Registrant Fax: +1.4806242598
 Registrant Fax Ext:
 Registrant Email: SPAHOTELGROUP.COM@domainsbyproxy.com
 Registry Admin ID:
 Admin Name: Registration Private
 Admin Organization: Domains By Proxy, LLC
 Admin Street: DomainsByProxy.com
 Admin Street: 14747 N Northsight Blvd Suite 111, PMB 309
 Admin City: Scottsdale
 Admin State/Province: Arizona
 Admin Postal Code: 85260
 Admin Country: US
 Admin Phone: +1.4806242599
 Admin Phone Ext:
 Admin Fax: +1.4806242598
 Admin Fax Ext:
 Admin Email: SPAHOTELGROUP.COM@domainsbyproxy.com
 Registry Tech ID:
 Tech Name: Registration Private
 Tech Organization: Domains By Proxy, LLC
 Tech Street: DomainsByProxy.com
 Tech Street: 14747 N Northsight Blvd Suite 111, PMB 309
 Tech City: Scottsdale
 Tech State/Province: Arizona
 Tech Postal Code: 85260
 Tech Country: US
 Tech Phone: +1.4806242599
 Tech Phone Ext:
 Tech Fax: +1.4806242598
 Tech Fax Ext:
 Tech Email: SPAHOTELGROUP.COM@domainsbyproxy.com
 Name Server: NS65.DOMAINCONTROL.COM
 Name Server: NS66.DOMAINCONTROL.COM
 DNSSEC: unsigned
 URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
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Domain already taken?

Enter Domain Name

Search

NameMatch Recommendations

GoDaddy.com NameMatch has found similar domain names related to your search. Registering multiple domain names may help protect your online brand and enable you to capture more Web traffic, which you can then direct to your primary domain.

Domains available for new registration:

Alternate domains		
<input type="checkbox"/>	spahotelgroups.com	SAVE! \$11.99
<input type="checkbox"/>	spahotelgroup	SAVE! \$17.99
<input type="checkbox"/>	spahotelgroup.org	SAVE! \$7.99
<input type="checkbox"/>	spahotelgroup.net	SAVE! \$11.99
<input type="checkbox"/>	spahotelgroup.info	SAVE! \$2.99
<input type="checkbox"/>	spahotelcrowd.com	SAVE! \$11.99
<input type="checkbox"/>	spahotelgroup.vegas	\$29.99
<input type="checkbox"/>	spahotelgroup.us	SAVE! \$3.99
<div>ADD TO CART</div>		

Learn more about

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Protected Registration ?

Business Registration

*Plus **ICANN fee** of \$0.18 per domain name year.

****.**CA domain names will be registered through Go Daddy Domains Canada, Inc., a CIRA certified registrar.

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WHOIS search results for:
THEBOUTIQUEGROUP.INFO
(Registered)

Is this your domain?
GO
Add hosting, email and more.

Want to buy this domain?
GO
Get it with our Domain Buy service.

Domain Name: **THEBOUTIQUEGROUP.INFO**
Registry Domain ID: D54581694-LRMS
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Update Date: 2015-12-22T02:42:43Z
Creation Date: 2015-02-21T03:54:27Z
Registrar Registration Expiration Date: 2017-02-21T03:54:27Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID: CR206503564
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14747 N Northsight Blvd Suite 111, PMB 309
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: THEBOUTIQUEGROUP.INFO@domainsbyproxy.com
Registry Admin ID: CR206503566
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14747 N Northsight Blvd Suite 111, PMB 309
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: THEBOUTIQUEGROUP.INFO@domainsbyproxy.com
Registry Tech ID: CR206503570
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14747 N Northsight Blvd Suite 111, PMB 309
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: THEBOUTIQUEGROUP.INFO@domainsbyproxy.com
Name Server: NS65.DOMAINCONTROL.COM
Name Server: NS66.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
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Domain already taken?

Enter Domain Name

Search

NameMatch Recommendations

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Domains available for new registration:

Alternate domains		
<input type="checkbox"/>	theboutique.group	SAVE! \$17.99
<input type="checkbox"/>	theboutiquegroup.org	SAVE! \$7.99
<input type="checkbox"/>	theboutiquegroup.net	SAVE! \$11.99
<input type="checkbox"/>	theboutiquegroups.info	SAVE! \$2.99
<input type="checkbox"/>	theboutiquegroup.us	SAVE! \$3.99
<input type="checkbox"/>	theboutiquecrowd.info	SAVE! \$2.99
<input type="checkbox"/>	theboutiquegroup.vegas	\$29.99
<input type="checkbox"/>	theboutiquegroup.studio	\$29.99
ADD TO CART		

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*Plus **ICANN fee** of \$0.18 per domain name year.
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WHOIS search results for:
VOSSPRESTIGE.CO
(Registered)

Is this your domain?

GO

Add hosting, email and more.

Want to buy this domain?

GO

Get it with our Domain Buy service.

Domain Name: **VOSSPRESTIGE.CO**
Registry Domain ID: D72872834-CO
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Update Date: 2016-01-12T12:19:36Z
Creation Date: 2016-01-12T12:19:35Z
Registrar Registration Expiration Date: 2017-01-11T23:59:59Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID: CR213194417
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14747 N Northsight Blvd Suite 111, PMB 309
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: vossprestige.co@domainsbyproxy.com
Registry Admin ID: CR213194419
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14747 N Northsight Blvd Suite 111, PMB 309
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: vossprestige.co@domainsbyproxy.com
Registry Tech ID: CR213194418
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14747 N Northsight Blvd Suite 111, PMB 309
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: vossprestige.co@domainsbyproxy.com
Name Server: NS09.DOMAINCONTROL.COM
Name Server: NS10.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
>>> Last update of WHOIS database: 2016-06-29T21:00:00Z <<<

Domain already taken?

Enter Domain Name

Search

NameMatch Recommendations

GoDaddy.com NameMatch has found similar domain names related to your search. Registering multiple domain names may help protect your online brand and enable you to capture more Web traffic, which you can then direct to your primary domain.

Domains available for new registration:

Alternate domains		
<input type="checkbox"/>	vossprestige.com	SAVE! \$11.99
<input type="checkbox"/>	vossprestige.net	SAVE! \$11.99
<input type="checkbox"/>	vossprestige.org	SAVE! \$7.99
<input type="checkbox"/>	vossprestige.info	SAVE! \$2.99
<input type="checkbox"/>	vossstature.co	\$11.99
<input type="checkbox"/>	vossprestige.us	SAVE! \$3.99
<input type="checkbox"/>	vossprestige.vegas	\$29.99
<input type="checkbox"/>	vossrank.com	SAVE! \$11.99

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For more information on Whois status codes, please visit
https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en

https://who.godaddy.com/whoisstd.aspx?domain=vossprestige.co&prog_id=GoDaddy&k=UIZFapk5pKiSKV4f5owNPDj94Ae%2fzXKiTKZx3EZ%2fIX1mVceypE... 1/2

The data contained in GoDaddy.com, LLC's WHOIS database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, LLC. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" section. In most cases, GoDaddy.com, LLC is not the registrant of domain names listed in this database.

[See Underlying Registry Data](#)
[Report Invalid Whois](#)

Search for another domain name in the **WHOIS** database

Enter a domain name to search

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Help

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 All Products



WHOIS search results for:
VOSSWATERSPA.US
(Registered)

Is this your domain?

GO

Add hosting, email and more.

Want to buy this domain?

GO

Get it with our Domain Buy service.

Domain Name: **VOSSWATERSPA.US**
Domain ID: D45056862-US
Sponsoring Registrar: GoDaddy.com, Inc.
Sponsoring Registrar IANA ID: 146
Registrar URL (registration services): whois.godaddy.com
Domain Status: pendingDelete
Registrant ID: CR239169285
Registrant Name: vo ss
Registrant Address1: 855 Eastburn lane
Registrant City: Burbank
Registrant State/Province: Nevada
Registrant Postal Code: 91504
Registrant Country: United States
Registrant Country Code: US
Registrant Phone Number: +44.74129855544
Registrant Email: justhost2015@outlook.com
Registrant Application Purpose: P1
Registrant Nexus Category: C11
Administrative Contact ID: CR239169289
Administrative Contact Name: vo ss
Administrative Contact Address1: 855 Eastburn lane
Administrative Contact City: Burbank
Administrative Contact State/Province: Nevada
Administrative Contact Postal Code: 91504
Administrative Contact Country: United States
Administrative Contact Country Code: US
Administrative Contact Phone Number: +44.74129855544
Administrative Contact Email: justhost2015@outlook.com
Administrative Application Purpose: P1
Administrative Nexus Category: C11
Billing Contact ID: CR239169291
Billing Contact Name: vo ss
Billing Contact Address1: 855 Eastburn lane
Billing Contact City: Burbank
Billing Contact State/Province: Nevada
Billing Contact Postal Code: 91504
Billing Contact Country: United States
Billing Contact Country Code: US
Billing Contact Phone Number: +44.74129855544
Billing Contact Email: justhost2015@outlook.com
Billing Application Purpose: P1
Billing Nexus Category: C11
Technical Contact ID: CR239169287
Technical Contact Name: vo ss
Technical Contact Address1: 855 Eastburn lane
Technical Contact City: Burbank
Technical Contact State/Province: Nevada
Technical Contact Postal Code: 91504
Technical Contact Country: United States
Technical Contact Country Code: US
Technical Contact Phone Number: +44.74129855544
Technical Contact Email: justhost2015@outlook.com
Technical Application Purpose: P1
Technical Nexus Category: C11
DNSSEC: unsigned
Name Server: NS13.DOMAINCONTROL.COM
Name Server: NS14.DOMAINCONTROL.COM
Created by Registrar: GoDaddy.com, Inc.
Last Updated by Registrar: GoDaddy.com, Inc.
Domain Registration Date: Tue May 06 13:23:37 GMT 2014
Domain Expiration Date: Thu May 05 23:59:59 GMT 2016
Domain Last Updated Date: Thu Jun 16 08:42:52 GMT 2016

Domain already taken?

Enter Domain Name

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<input type="checkbox"/>	vosswaterspa.com	SAVE! \$11.99
<input type="checkbox"/>	vosswaterspa.org	SAVE! \$7.99
<input type="checkbox"/>	vosswaterspa.net	SAVE! \$11.99
<input type="checkbox"/>	vosswaterspa.info	SAVE! \$2.99
<input type="checkbox"/>	vosswaterspa.co	\$11.99
<input type="checkbox"/>	vosswaterspa.guru	\$39.99
<input type="checkbox"/>	vosswaterspa.vegas	\$29.99
<input type="checkbox"/>	vossaquaspa.com	SAVE! \$11.99

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>>>> Whois database was last updated on: Wed Jun 29 22:47:09 GMT 2016 <<<<

NeuStar, Inc., the Registry Administrator for .US, has collected this

https://who.godaddy.com/whoisstd.aspx?domain=vosswaterspa.us&prog_id=GoDaddy&k=rLZD3LM4WDnFfAYwLqKKnzj94Ae%2fzXKiTKZx3EZ%2fIX1mVcey... 1/2

information for the WHOIS database through a .US-Accredited Registrar. This information is provided to you for informational purposes only and is designed to assist persons in determining contents of a domain name registration record in the NeuStar registry database. NeuStar makes this information available to you "as is" and does not guarantee its accuracy. By submitting a WHOIS query, you agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data: (1) to allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, electronic mail, or by telephone; (2) in contravention of any applicable data and privacy protection laws; or (3) to enable high volume, automated, electronic processes that apply to the registry (or its systems). Compilation, repackaging, dissemination, or other use of the WHOIS database in its entirety, or of a substantial portion thereof, is not allowed without NeuStar's prior written permission. NeuStar reserves the right to modify or change these conditions at any time without prior or subsequent notification of any kind. By executing this query, in any manner whatsoever, you agree to abide by these terms.

NOTE: FAILURE TO LOCATE A RECORD IN THE WHOIS DATABASE IS NOT INDICATIVE OF THE AVAILABILITY OF A DOMAIN NAME.

All domain names are subject to certain additional domain name registration rules. For details, please visit our site at www.whois.us.

[See Underlying Registry Data](#)

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